

REMARKS

Claims 2-23, 25-43, and 45-57 were pending in the present application. Claims 10, 12, 14, 18-19, 22, 35, 37, 39, 41-43, and 55-56 have been amended. Claims 7-9, 17, and 34 have been canceled, and new claims 58-59 have been added. As a result of this amendment, claims 2-6, 10-16, 18-23, 25-33, 35-43, and 45-59 remain pending. Reexamination and reconsideration are requested in light of the accompanying amendment and remarks.

Applicants gratefully acknowledge the allowance of claims 45, 46, and 57.

Applicants gratefully acknowledge the examiner's statement that claims 3-6, 8, 10-19, 21, 23, 27-30, 32, 33, and 35-43 would be allowable if rewritten in independent form.

Claims 55 and 56 have been amended to include the limitations of claim 8 and 32 respectively, with the exception of the thixotropic agent and the inclusion of carboxyl terminated butadiene acrylonitrile adducts as flexibilizers. New claims 58 and 59 have been added. They include the limitations of claims 19 and 42 with the exception of the thixotropic agent, 5-20% plasticizer/accelerator (it remains optional), the unmodified aliphatic amine being an unmodified glycol ether base aliphatic amine (rather than a mixture of that and an unmodified AEP base aliphatic amine), and the inclusion of carboxyl terminated butadiene acrylonitrile adducts as flexibilizers.

The rejection of claims 2, 9, 20, 22, 25, 26, 34, 49, 50, and 53-56 under 35 U.S.C. § 102(e) as being anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as obvious over, Gordon (U.S. Patent No. 6,645,341) has been overcome. Gordon describes a two-component epoxy-based adhesive. The resin component comprises an epoxy resin, a polymer polyol, and fumed silica. The curing agent comprises a polyoxyalkyleneamine, an amine terminated butadiene-acrylonitrile polymer, tris (2,4,6-dimethylaminomethyl)phenol, polyamide resin, silane, and fumed silica. Abstract.

As the examiner stated in the statement of reasons for the indication of allowable subject matter, Gordon does not teach or suggest the specific combination of amine components in the hardener. Moreover, Gordon does not teach or suggest the use of carboxyl terminated butadiene

adducts. Therefore claims 55 and 56 and those dependent upon them are allowable.

In addition, Gordon does not teach or suggest the combination of amine components specified in new claims 58 and 59. Nor does Gordon teach or suggest the use of carboxyl terminated butadiene adducts. Therefore, claims 58 and 59 and those dependent upon them are allowable.

Therefore, claims 2, 9, 20, 22, 25, 26, 34, 49, 50, and 53-56 are not anticipated by, and they would not have been obvious to one of ordinary skill in the art at the time the invention was made, over Gordon.

The rejection of claims 7, and 31 under 35 U.S.C. § 103(a) as being unpatentable over Gordon has been overcome as discussed above. Therefore, claims 7, and 31 would not have been obvious to one of ordinary skill in the art at the time the invention was made over Gordon.

The rejection of claims 47, 48, 51, and 52 under 35 U.S.C. § 103(a) as obvious over Gordon in view of Cunliffe (U.S. Patent No. 4,107,142) has been overcome. Cunliffe was cited as teaching epoxide materials prepared by reacting a diene with a diepoxide. However, Cunliffe does not remedy the deficiencies of Gordon. Therefore, claims 47, 48, 51, and 52 would not have been obvious to one of ordinary skill in the art at the time the invention was made over Gordon in view of Cunliffe.

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CONCLUSION

Applicant respectfully submits that, in view of the above amendment and remarks, the application is now in condition for allowance. Applicant respectfully requests that claims 2-6, 10-16, 18-23, 25-33, 35-43, and 45-59 be passed to allowance.

If the Examiner has any questions or comments regarding the present application, he is invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,
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